

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL LEE CHILDRESS, JR.,

Petitioner,

No. CIV S-02-0870 DFL GGH P

vs.

MIKE KNOWLES, Warden,

Respondent.

ORDER

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Respondent has requested an extension of time to file objections to the court's Findings and Recommendations, filed on September 20, 2005. Respondent's September 22, 2005 request includes a lodged proposed order via ECF in .pdf format. However, respondent has not submitted a proposed order in word processing format in accordance with the local rules. Ordinarily, in order for the court to consider respondent's request, counsel must have complied with Local Rule 5-137(b); however, because counsel states that he has been scheduled for unexpected surgery and is therefore out of the office at this time, the court will overlook the failure to comply with L.R. 5-137(b) on this one occasion and will grant respondent's request for

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1 an extension of time until October 20, 2005 to file objections. There will be no further extension
2 of time.

3 IT IS SO ORDERED.

4 Dated: 9/27/05

5 /s/ Gregory G. Hollows
6 GREGORY G. HOLLOWS
7 UNITED STATES MAGISTRATE JUDGE

ggh:009
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